IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.253 OF 2004
IN
WRIT PETITION NO.1489 OF 2004

Borivli Education Society.....Petitioner
Vs.
University of Mumbai & Ors...Respondents

Mr.Bharat Joshi, for the Petitioner
Mr. B.A. Phadnis, for Respondent Nos. 1 and 2.
Mr. Densil D'Mello, AGP for Respondent No.3.

CORAM: F.I. REBELLO & S.P.KUKDAY, JJ.
DATE : 15th March, 2005

P.C.

. By order dated 26th June, 2002 on the statement made by the petitioner society that they would deposit a sum of Rs.14.00 lakhs, the said amount came to be deposited. In the petition the relief sought for by the petitioner was to direct the Respondents to grant sanction to close down the Degree College of Commerce faculty from the academic year 2000-2001 and for a further direction to release aid for meeting with the expenses of salary to the teaching and non-teaching staff. It is the case of the petitioner that subsequently the Government has released the grants and the College is presently running.

2. Considering the fact that it is the petitioners who have deposited the money and the money belongs to them we see no reason as to why the relief as prayed for ought not to be granted. In the light of that Motion made absolute in terms of prayer clause (a). Prothonotary & Senior Master on a certified copy of this order being produced to release the amount in favour of the petitioners without any security along with the accrued interest, if any.

. Motion disposed of accordingly.

(F.I. REBELLO, J.)

(S.P. KUKDAY, J.)